

IN THE UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION

XIAOBO HUANG,

Plaintiff,

v.

ALBERTO R. GONZALES, Attorney
General of the United States, **et al.**,

Defendants.

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Civil Action No. 3:07-CV-1122-L

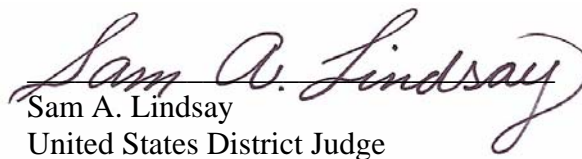
ORDER

Before the court is Defendants' Motion to Dismiss as Moot, filed August 27, 2007. The court referred this action to the Honorable United States Magistrate Judge Jeff Kaplan on June 26, 2007 for pretrial management. As a result of this referral, Magistrate Judge Kaplan filed the Findings and Recommendation of the United States Magistrate Judge ("Report") on September 19, 2007. Prior to filing the Report, the magistrate judge ordered Plaintiff to file a response to the Motion to Dismiss by September 13, 2007. No response was filed.

After an independent review of the motion, record, and applicable law, the court **determines** that the findings and conclusions of the magistrate judge are correct, and they are accepted as those of the court. Accordingly, the court **grants** Defendants' Motion to Dismiss as Moot, and **dismisses** this action.*

*The court realizes that the time to object will not expire until October 3, 2007. *See* Fed. R. Civ. P. 72(b). In light of Plaintiff being granted the precise relief he sought – approval of his I-485 application to register as a permanent resident – and his failure to respond to the motion, the court can think of no legal basis for any objection.

It is so ordered this 27th day of September, 2007.


Sam A. Lindsay
United States District Judge